

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PRIORITY HEALTHCARE)
DISTRIBUTION, INC., d/b/a)
CURASCRIP SD SPECIALTY,)
)
 Plaintiff,)
)
 vs.) Case No. 4:09CV371 HEA
)
 CENTRAL CAROLINA SURGICAL)
 EYE ASSOCIATES, P.A., d/b/a)
 SOUTHEASTERN EYE CENTER,)
)
 Defendant.)
)
)
 CENTRAL CAROLINA SURGICAL)
 EYE ASSOCIATES, P.A., d/b/a)
 SOUTHEASTERN EYE CENTER,)
)
 Third Party Plaintiff,)
)
 vs.)
)
 GENENTECH, INC.,)
)
 Third Party Defendant.)

ORDER

This matter is before the Court on its own motion. On February 5, 2010, the Court entered a consent judgment in favor of Plaintiff and against Defendant, based on a settlement between the parties. The Court was advised by the parties that the Third Party action was also settled. To date, however, there has been no action taken with respect to the resolution of the Third Party claims of Defendant against Third Party Defendant, Genentech, Inc.

Accordingly,

IT IS HEREBY ORDERED that Defendant/Third Party Plaintiff show cause within 14 days from the date of this Order why the Third Party action should not be dismissed with prejudice

Dated this 22nd day of September, 2010.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE